



06-24-04

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EXPRESS MAIL NO.: EV 452 772 831 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Palese et al.

Confirmation No.: 3723

Serial No.: 10/713,732

Art Unit: 1616

Filed: November 14, 2003

Examiner: To be assigned

For: ATTENUATED NEGATIVE STRAND
VIRUSES WITH ALTERED INTERFERON
ANTAGONIST ACTIVITY FOR USE AS
VACCINES AND PHARMACEUTICALS

Attorney Docket No: 6923-118

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination's Filing Receipt Corrections
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants enclose herewith a copy of the official Filing Receipt, mailed by the United States Patent and Trademark Office on March 4, 2004 in connection with the above-identified application. Please note the corrections made in red ink on the copy. The Filing Receipt incorrectly identifies the Attorney Docket No. as 6923. It should read 6923-118. As evidence of the foregoing, submitted herewith is a copy of the Utility Patent Application Transmittal submitted on November 14, 2003.

The Filing Receipt also incorrectly recites that the Assignment for Published Patent Application is Mount Sinai School, Medicine of City University, NY. It should read Mount Sinai School of Medicine of New York University, NY. As evidence of the foregoing, submitted herewith is a copy of the Recordation Form Cover Sheet for parent Application No. 09/332,288 naming Mount Sinai School of Medicine of New York University as the receiving party. A Recordation Form Cover Sheet, Certificate of Merger and a Request for Assignee's Change of Name on Notice of Recordation of Assignment Document were submitted in connection with the parent application on July 21, 2003. Copies of these documents were submitted with the filing of the above-identified application on November 14, 2003.

Applicants respectfully request that the United States Patent and Trademark Office correct its records in accordance with the present submission and issue a corrected filing receipt.

It is estimated that no fee is required for correction of the Filing Receipt. However, should the Patent Office determine otherwise, please charge the necessary fee to Jones Day Deposit Account No. 503013. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date June 22, 2004

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

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UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|----------------|----------|----------|----------|
| 10/713,732 | 11/14/2003 | 1616 | 958 | -0923- | 3 | 51 | 5 |

20583
JONES DAY
222 EAST 41ST STREET
NEW YORK, NY 10017



6923-1/8

CONFIRMATION NO. 3723

FILING RECEIPT



OC000000012032579

Date Mailed: 03/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter Palese, Leonia, NJ;
Adolfo Garcia-Sastre, New York, NY;
Thomas Muster, Vienna, AUSTRIA;

Assignment For Published Patent Application

Mount Sinai School, Medicine of City University, NY;
of Medicine of New York University

Domestic Priority data as claimed by applicant

This application is a CON of 09/332,288 06/11/1999 PAT 6,669,943
which claims benefit of 60/117,683 01/29/1999
and claims benefit of 60/108,832 11/18/1998
and claims benefit of 60/089,103 06/12/1998

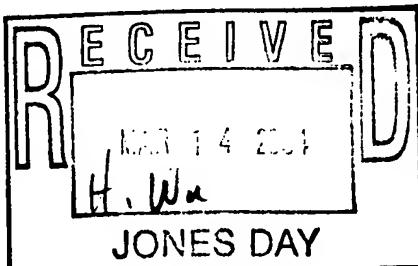
Foreign Applications

If Required, Foreign Filing License Granted: 03/04/2004

Projected Publication Date: 06/10/2004

Non-Publication Request: No

Early Publication Request: No



**** SMALL ENTITY ****

Title

Attenuated negative strand viruses with altered interferon antagonist activity for use as vaccines and pharmaceuticals

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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NOT GRANTED

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|---------------------|----------|-------------|----|
| Attorney Docket No. | 6923-118 | Total Pages | 85 |
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First Named Inventor or Application Identifier

Palese et al.

| | |
|------------------------|-------------------|
| Express Mail Label No. | EV 335 857 675 US |
|------------------------|-------------------|

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapters 600 concerning utility patent application contents.

- | | |
|--|---|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 56] <i>(preferred arrangement set forth below, MPEP 1503.01)</i></p> <ul style="list-style-type: none"> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description of the Invention (including drawings, if filed) - Claim(s) - Abstract of the Disclosure <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 3]</p> <p>5. <input checked="" type="checkbox"/> Declaration and Power of Attorney [Total Sheets 4] <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). </p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable; all necessary)</i> <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies </p> |
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ACCOMPANYING APPLICATION PARTS

- | | |
|---|---|
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i></p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>17. <input type="checkbox"/> Other:</p> | <p><input type="checkbox"/> Power of Attorney</p> <p><input type="checkbox"/> Copies of IDS Citations</p> |
|---|---|

18. If a CONTINUATING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) | of prior application No.: 09/332,288 filed June 11, 1999.

Prior application information: Examiner: M. Mosher

Group Art Unit: 1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

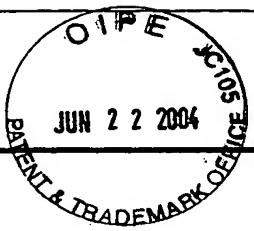
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**RECORDATION FORM COVER SHEET
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Attorney Docket Number

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Please record the attached original documents or copy thereof.

Mail documents to be recorded with required cover sheet information to:

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July 21, 2003

Date _____